

Message Text

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ORIGIN EB-07

INFO OCT-01 EA-07 ISO-00 CAB-02 CIAE-00 COME-00
DODE-00 DOTE-00 INR-07 NSAE-00 EPG-02 FAA-00 L-03
SS-15 NSC-05 SSO-00 NSCE-00 INRE-00 /049 R

DRAFTED BY EB/OA:MHSTYLES:BA
APPROVED BY EB/TCA:JWBILLER
EA/J:SECTON
CAB:JHORNEMAN (INFO)
-----093557 072239Z /73
O 072219Z JUL 77
FM SECSTATE WASHDC
TO AMEMBASSY TOKYO IMMEDIATE

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E.O. 11652: N/A

TAGS: EAIR, JA

SUBJECT: CIVAIR: US-JAPAN NEGOTIATIONS

1. IN SEVERAL MEETINGS OVER PAST FEW DAYS BETWEEN DEPTOFFS
AND JAPANESE EMBASSY, DIFFERENCES IN TEXT OF MEMORANDUM OF
CONSULTATIONS AND ATTACHED AGREED MINUTES HAVE BEEN
NARROWED TO THREE POINTS, NAMELY, OSAKA AIRPORT HOURS,
SLOTS FOR SUPPLEMENTALS, AND OVERNIGHTS AT HANEDA BY US
AIRLINES. COMPLETE US PROPOSED TEXTS PRESENTED TO FUKADA
ON JULY 7 BEING SENT IN TWO SEPTELS. IF JAPANESE ACCEPT
THESE TEXTS, MINISTER BUTTON IS AUTHORIZED TO SIGN THEM.
DEPARTMENT STRONGLY PREFERS THAT TEXTS BE SIGNED ON
JULY 8. HOWEVER, BECAUSE OF TIMING CONSTRAINTS, JAPANESE
MAY NOT BE ABLE TO RESPOND TO LATEST US PROPOSALS IN TIME
TO SIGN IN TOKYO ON JULY 8 BEFORE JAPANESE DELEGATION
LEAVS MORNING OF JULY 9. WE HAVE MADE CLEAR TO FUKADA
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HAT IF IT IS NOT POSSIBLE SIGN JULY 8 AND IF THERE ARE
STILL POINTS TO BE DISCUSSED WHEN NEGOTIATIONS OPEN ON
THE 11TH, US WILL NOT PROCEED TO DISCUSS REVISION ISSUES
UNTIL IMMEDIATE ISSUES RESOLVED AND, TEXTS SIGNED.
SPECIFIC GUIDANCE AND INSTRUCTIONS ON REMAINING POINTS OF
DIFFERENCES AND ON SIGNING FOLLOW.

2. OSAKA AIRPORT HOURS. JAPANESE TEXT READS: "LANDING AND TAKEOFFS SHOULD TAKE PLACE BETWEEN 8 A.M. AND 7 P.M." WE SAID WE WOULD ACCEPT 7 P.M. IF WORDS "BE SCHEDULED TO" INSERTED AFTER "SHOULD" AND ON UNDERSTANDING THAT JAPANESE AUTHORITIES WILL CONTINUE PAST PRACTICE OF ALLOWING FLEXIBILITY WHEN AIRCRAFT FOR OPERATIONAL REASONS CANNOT ADHERE TO 7 P.M. CURFEW. FYI. PAN AM ADVISES THAT IT REGULARLY OBTAINS PERMISSION OPERATE AFTER 7 P.M. EVEN THOUGH FLIGHTS ARE SCHEDULED LAND OR TAKEOFF BEFORE 7 P.M. END FYI.

3. SLOTS FOR SUPPLEMENTALS. JAPANESE TEXT BEGINS WITH WORDS: "THE JAPANESE SIDE WILL GIVE FAVORABLE CONSIDERATION TO ETC." WE SAID WE WOULD ACCEPT JAPANESE TEXT IF IT WAS PARALLEL TO TEXT RE PAN AM'S SLOTS AT OSAKA, I.E. "THE JAPANESE SIDE WILL EXERT UTMOST EFFORTS TO ETC" (SEE SEPTTEL) AND PROVIDED IT WAS UNDERSTOOD THAT "NECESSARY SLOTS" MEANT WHATEVER NUMBER OF SLOTS WAS NEEDED. FUKADA SAID (AGAIN) THAT SLOT MECHANISM PREVENTED MORE THAN TWO SLOTS PER DAY PER AIRLINE. WE AGAIN URGED THAT SLOTS UNUSED BY US SCHEDULED AIRLINES COULD BE USED BY SUPPLEMENTALS OR THAT JAPANESE CONSIDER THAT THERE ARE UP TO FOUR SLOTS AVAILABLE PER DAY FOR TWO SUPPLEMENTAL AIRLINES TOGETHER, EVEN THOUGH ONLY ONE AIRLINE USING THEM. WE STRESSED THAT US ATTACHED CONSIDERABLE IMPORTANCE TO THIS MATTER. FUKADA SUGGESTED ON LIMITED OFFICIAL USE

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PERSONAL BASIS THAT QUESTION OF NUMBER OF SLOTS AVAILABLE BE LEFT TO FURTHER DISCUSSION. WE SAID THIS MIGHT BE POSSIBLE, BUT IT WOULD BE DESIRABLE RESOLVE SUBSTANCE OF ISSUE NOW BECAUSE OTHERWISE LATER PROBLEMS COULD ARISE, INCLUDING LIKELIHOOD CAB WOULD REFUSE LIFT ITS RESTRICTIONS ON JAL CHARTERS.

4. OVERNIGHTS. JAPANESE TEXT READS AS FOLLOWS: "ON THE OPERATION OF US AIRLINES USING FIFTH FREEDOM RIGHTS BEYOND JAPAN. IN VIEW OF THE FACT THIS QUESTION IS THE MATTER RELATED TO THE IMPLEMENTATION OF THE CURRENT AGREEMENT, IT WAS AGREED THAT THE ISSUE INCLUDING THE TERMINATION OF OVERNIGHT STAY WILL BE RESOLVED AS PROMPTLY AS POSSIBLE DURING THE PERIOD OF THE REVISION TALKS". US TEXT, INCLUDING DIFFERENT HEADING, IS IN SEPTTEL. WE ARE NOT WILLING TO SIGN A TEXT WHICH REFERS TO "TERMINATION" OF OVERNIGHT STAY OR WHICH SAYS ISSUE "WILL BE" RESOLVED OR "AS PROMPTLY AS POSSIBLE".

5. SIGNING. FOR THEIR OWN REASONS, JAPANESE WANT TO SIGN IN TOKYO. BUTTON SHOULD SIGN MEMORANDUM OF CONSULTATION OVER WORDS "FOR THE US DELEGATION". HE

SHOULD SIGN AGREED MINUTES ABOVE HIS TITLE (MINISTER,

US EMBASSY, ETC) OR ABOVE WORDS "FOR THE EMBASSY" OR
"FOR THE US DELEGATION". HE SHOULD NOT SIGN ABOVE WORDS
"FOR THE AERONAUTICAL AUTHORITIES OF US" AS JAPANESE
PREFER BECAUSE THIS MEANS HE IS SIGNING FOR THE CAB WHICH
WOULD NOT BE APPROPRIATE. JAPANESE CAN SIGN BOTH DOCU-
MENTS ANY WAY THEY WANT. JAPANESE ALSO WANT TO KEEP
DOCUMENTS CONFIDENTIAL. WE WILL, OF COURSE, SEEK TO
AVOID RELEASING TEXT AS SUCH, BUT IN VIEW FREEDOM OF
INFORMATION ACT WE CANNOT GUARANTEE THIS. IN NO EVENT
SHOULD TEXTS BE STAMPED "CONFIDENTIAL".

6. IF DEPARTMENT RECEIVES FURTHER WORD FROM FUKADA,
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EMBASSY WILL BE ADVISED BY TELEGRAM OR PHONE CALL TO
BUTTON.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CIVIL AVIATION, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 07-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE158137
Document Source: CORE
Document Unique ID: 00
Drafter: MHSTYLES:BA
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770242-0112
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770781/aaaacskr.tel
Line Count: 140
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 1a00156f-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 16-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1933035
Secure: OPEN
Status: NATIVE
Subject: CIVAIR: US-JAPAN NEGOTIATIONS
TAGS: EAIR, JA, US
To: TOKYO
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/1a00156f-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009